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[Proposed] Counsel to Bradley D. Sharp,
Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

LESLIE KLEIN,

Debtor.

Case No.: 2:23-bk-10990-SK

Chapter 11

**STIPULATION TO CONTINUE
HEARING ON MOTION FOR RELIEF
FROM THE AUTOMATIC STAY UNDER
11 U.S.C. § 362**

[Relates to Docket Nos. 174 and 184]

Date: July 12, 2023
Time: 8:30 a.m.
Place: Courtroom 1575
255 E. Temple Street
Los Angeles, CA 90012

Bradley D. Sharp (the “Trustee”), the duly appointed trustee for the chapter 11 estate of
Leslie Klein (the “Debtor”), and NewRez LLC dba Shellpoint Mortgage Servicing, as servicer for
J.P. Morgan Mortgage Acquisition Corp. (“Movant,” and together with the Trustee, the “Parties”),
by and through their respective attorneys, agree and stipulate to the following:

RECITALS

A. The Debtor commenced a voluntary chapter 11 case on February 22, 2023. On
March 10, 2023, the Office of the United States Trustee (the “UST”) filed a statement regarding the

Debtor's failure to comply with various requirements under the Bankruptcy Code, Bankruptcy Rules, and certain notices and guidelines promulgated by the UST. [Docket No. 42].

B. On May 23, 2023, the UST filed a notice appointing the Trustee as the chapter 11 trustee of the Debtor's chapter 11 case. [Docket No. 151].

C. On May 24, 2023, the UST filed an application for an order approving the appointment of Mr. Sharp as the Trustee. [Docket No. 154].

D. On May 24, 2023, the Court entered an order approving the appointment of Mr. Sharp as the Trustee. [Docket No. 155].

E. On May 24, 2023, Mr. Sharp accepted his appointment as Trustee. [Docket No. 156].

F. The Debtor owns real property located at 143 S. Highland, Los Angeles, California (the "Property") which is therefore an asset of the estate. [Docket No. 70 at Pt. 1.3]

G. On June 14, 2023, Movant filed the Motion Seeking Relief from the Automatic Stay (the "Stay Motion") so that it can foreclose against the Property due to the Debtor's failure to make timely payments under the applicable loan documents. [Docket No. 174].

H. On June 28, 2023, counsel for the Trustee filed the Chapter 11 Trustee's Response to the Motion for Relief from the Automatic Stay Under 11 U.S.C. §362 [Docket No. 184] (the "Response") where the Trustee seeks to continue the hearing on the Stay Motion so that he can engage a real estate broker to market and sell the Property.

I. After filing the Response, the Trustee and Movant agreed that the Stay Motion be continued so that the Trustee can engage a real estate broker who can market and sell the Property. The proceeds of any sale would be used to pay off the valid claims asserted by Movant and the excess proceeds would be paid into the Debtor's estate for the Trustee to administer.

J. The Parties recognize and agree that, in the interests of judicial economy, the hearing on the Stay Motion should be continued for a period of no less than four (4) months to allow the Trustee sufficient opportunity to market and sell the Property for the benefit of Movant and all other creditors of this estate, thereby potentially obviating the need for the Court to adjudicate the Stay Motion.

NOW THEREFORE, the Parties have conferred and stipulate as follows:

STIPULATION

1. For the reasons set forth herein, the hearing on the Stay Motion shall be continued for a period of no less than four (4) months from entry of an order approving this Stipulation.

2. The Parties may extend the continuation of the hearing on the Stay Motion by filing a stipulation with the Court and uploading a proposed order.

3. If at the conclusion of the four (4) month continuation Movant no longer consents to the continuation of the Stay Motion Movant may file a notice setting the Stay Motion for a new hearing on regular notice.

IN WITNESS WHEREOF, counsel for the Trustee and Movant have executed this Stipulation as of the dates set forth below.

Dated: July 7, 2023

PACHULSKI STANG ZIEHL & JONES LLP

By: /s/ John W. Lucas
John W. Lucas

[Proposed Counsel] to Bradley D. Sharp,
Chapter 11 Trustee

Dated: July 7, 2023

BONIAL & ASSOCIATES, P.C.

By: /s/ Kristen Martinez
Austin Nagel
Kirsten Martinez

Attorneys for Movant New Rez LLC dba
Shellpoint Mortgage Servicing as servicer for
J.P. Morgan Mortgage Acquisition

NOW THEREFORE, the Parties have conferred and stipulate as follows:

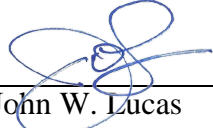
STIPULATION

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2. The Parties may extend the continuation of the hearing on the Stay Motion by filing a stipulation with the Court and uploading a proposed order.
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Dated: July 7, 2023


PACHULSKI STANG ZIEHL & JONES LLP

By _____
John W. Lucas

[Proposed Counsel] to Bradley D. Sharp,
Chapter 11 Trustee

Dated: July 7, 2023

BONIAL & ASSOCIATES, P.C.

By _____
Austin Nagel
Kirsten Martinez

Attorneys for Movant New Rez LLC dba Shellpoint
Mortgage Servicing as servicer for J.P. Morgan
Mortgage Acquisition

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
10100 Santa Monica Boulevard, 13th Floor, Los Angeles, California 90067

A true and correct copy of the foregoing document entitled (*specify*): **STIPULATION TO CONTINUE HEARING ON MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **July 7, 2023** I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **July 7, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 7, 2023
Date

Rolanda Mori
Printed Name

/s/ Rolanda Mori
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

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- **Roye Zur** rzur@elkinskalt.com, cavila@elkinskalt.com; lwageman@elkinskalt.com; 1648609420@filings.docketbird.com

2. SERVED BY UNITED STATES MAIL:

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